

**Access to Microfinance & Improved Implementation of
Policy Reform
(AMIR Program)**

Funded By U.S. Agency for International Development

**Enforcement-Adminstration of
The Law on Copyrights**

Final Report

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MIDGLOBE has prepared this final report that summarizes all what has been accomplished in accordance with the contract signed between MIDGLOBE and the Access to Microfinance & Improved Implementation of Policy Reform (AMIR program), which was started on the 10th of December 1999 and ended late October 2000, and related to the training and edification of copyrights in Jordan.

1. PREPARING DETAILED EXECUTIVE ACTION PLAN

At the start of the program, MIDGLOBE prepared a detailed executive action plan in which it listed all work action that it will carry out throughout the duration of the program in accordance with what is required by the mentioned contract regarding training seminars and assisting the National Library to raise public awareness of all matters concerning Copyright and enforcement of these rights.

2. LIST OF TRAINING SEMINARS

MIDGLOBE has organized a number of training seminars that tackled all concerning the law of Copyrights to the following sectors of the Jordanian society:

- ◆ Media
- ◆ Police department
- ◆ Customs
- ◆ Lawyers
- ◆ Libraries
- ◆ Business Related Associations
- ◆ Artists
- ◆ Academicians
- ◆ Businesses
- ◆ Judges
- ◆ Law enforcement Agencies
- ◆ The National Library

It is worth mentioning that:

- ◆ In each training seminar MIDGLOBE prepared lists of speakers, participants, and training materials and furnished AMIR program with these information.
- ◆ MIDGLOBE has prepared lists of participants, contacted them and ascertain of their attendance, book halls, organized coffee-breaks, and employed the best team of trainers that undertook the mission of training and the preparation of training material.

SUMMARY OF TRAINING SEMINARS

A. Media training seminars

This group was divided into two groups, which. Over the period of 4 days, was given the following training:

1st. The first group has their seminar on Monday the 14th and Tuesday the 15th of February 2000 and was attended by representatives of The Ministry of Information, Publications and Publishing Directorate, Broadcasting and Television Establishment, Jordan Press Agency, and representatives of a number of Jordanian dailies and periodical journals and magazines.

2nd. The second group has their seminar on Wednesday 16th and Thursday the 17th of February 2000 and was attended by representatives of Jordanian Radio and TV production, distribution and marketing companies.

Their training program included the following subjects:

- ◆ The introduction of the copyright concept and the importance of protecting it from infringements.
- ◆ The scope of legal protection of copyrights that is provided by Jordanian copyright laws and other relevant international conventions which are applicable in Jordan.
- ◆ Definition of copyright owners and their works that are protected by copyright laws and relevant international convention, which are applicable in Jordan.
- ◆ The exceptions to the exclusive rights given to the owner of the copyright.
- ◆ Methods of protecting copyright with accordance to the Jordanian copyright law.
- ◆ The procedure of depositing publications at the National Library, and the role of the National Library in protecting the copyrights.
- ◆ The general role of the media to stop the infringement of copyright.
- ◆ The protection which the copyright law and some international conventions has provided to performers, producers of phonograms (sound recording) and broadcasting organizations.

B. Police department training seminars

This group included individuals working all over the Kingdom in crime investigations/ computer crimes section, preventive police, Royal Police Academy, border police, criminal investigation directorate, the legal department of the general security directorate and a number of attorney generals working with the police departments.

This group was divided into two groups, which over the period of 4 days, was given the training on:

First Group Monday the 6th and Tuesday the 7th of March 2000

Second Group Wednesday 8th and Thursday the 9th of March 2000

The training program that specially designed for this group included:

- ◆ The introduction of the copyright concept and the importance of protecting it from infringements. The scope of legal protection of copyrights that is provided by the Jordanian copyrights laws and all relevant international conventions.
- ◆ Definition of copyright owners and their rights provided to them by copyright laws and other international convention which are applicable in Jordan and the exceptions to these exclusive rights.
- ◆ Methods of protecting copyright with accordance to the Jordanian copyright law.
- ◆ The role of the attendees in the fight against all kinds of infringements of copyrights under the present Copyright Law and other relevant legislation such as the Criminal Court Procedural law.
- ◆ Emphases were put on their skills in inspection and search for pirated material, confiscating these and depositing them to the concerned authorities.
- ◆ Training them to differentiate between original and pirated works in particular among computer programs, written works, audio and audio-visual work.
- ◆ Identifying the other authorities that are jointly involved in the protection of copyright in Jordan under the present legislation and emphasizing on the importance of coordinating efforts with these to prevent infringements on copyrights.
- ◆ MIDGLOBE has also given this group whatever they required from consultation and other legal services within the duration of the project.

C. Customs Officers training seminars

The training seminars for custom officers that are working all over the Kingdom and in all departments of the Customs and Border points Directorate lasted for 4 days and took place on:

First Group Sunday the 2nd and Monday the 3rd of April 2000

Second Group Tuesday the 4th and Wednesday the 5th of April 2000

The training program that specially designed for this group included:

- ◆ The introduction of the copyright concept and the importance of protecting it from infringements.
- ◆ The scope of legal protection of copyrights that is provided by the Jordanian copyrights laws and all relevant international conventions.
- ◆ Definition of copyright owners and their rights provided to them by copyright laws and relevant international convention which are applicable in Jordan and the exceptions to their exclusive rights.
- ◆ Methods of protecting copyright with accordance to the Jordanian copyright law.

- ◆ The role of custom officers in stopping infringements of copyrights especially after the amendments that was effected lately on the custom legislation that permitted and granted them authority to do so.
- ◆ Training them to differentiate between original and pirated works in particular among computer programs, written works, audio and audio-visual works.
- Identifying the other authorities such as the National Library and the attorney General office, that are jointly involved in the protection of copyright in Jordan under the present legislation and emphasizing on the importance of coordinating efforts with these to prevent infringements on copyrights.

D. Lawyers training seminar

This training seminar took place, over the period of 3 days, on Monday the 22nd, Tuesday the 23rd, and Wednesday the 24th of May 2000 and was attended by a number of Lawyers that involved lawyer's from districts outside Amman.

The training program that specially designed for this group included:

- ◆ The scope of legal protection of copyrights that is provided by the Jordanian copyright laws and all relevant international conventions which are applicable in Jordan.
- ◆ Definition of copyright owners and their rights provided to them by copyright law and relevant international convention which are applicable in Jordan and the exceptions to their exclusive copyrights.
- ◆ The rights granted by the copyright law and some international conventions has provided to performers, producer of phonograms (sound recordings) and broadcasting organization and the exceptions to these exclusive rights.
- ◆ The importance of the amendments that are placed on the Copyrights Law as a result of Jordan accession to the WTO.
- ◆ The different authorities involved in the protection of copyrights in Jordan in accordance with Jordanian legislation.
- ◆ Making examples of infringements on copyrights and how to differentiate between original and pirated material in particular among computer programs, audio, audio-visual works and written works.
- ◆ Identifying individuals that could be persecuted as a result of infringements of copyrights and the type of punishment that might be imposed on such individuals.
- ◆ Analyzing the new law from a legal point of view.

E. Libraries training seminar

This training seminar took place for three days in the period between Sunday 4th, Monday the 5th and Tuesday the 6th of June 2000 and was attended by representatives of library owners, books distribution centers, publisher houses and individuals working in public libraries of various universities and private and public schools.

The training program that specially designed for this group included:

- ◆ The introduction of the copyright concept and the importance of protecting it from infringements.
- ◆ The scope of legal protection of copyrights that is provided by Jordanian copyright law and relevant international conventions which are applicable in Jordan.
- ◆ Definition of copyright owners and the exceptions to their exclusive rights.
- ◆ Methods of protecting copyright and the authorities involved in this protection.
- ◆ The procedure of depositing publications at the National Library.
- ◆ The definition and the scope of licensing, emphasizes on the concept of compulsory reproduction and translation licensing.
- ◆ The impact of the protection of copyrights on the work of libraries and publishers and the role of these in copyright protection.

F. Business Related Associations training seminars

The duration of these seminar was for 4 days and has been attended by a large number of business related associations in Jordan. This was also divide into two groups:

First Group took place on Sunday the 18th and Monday the 19th of June 2000 and was attended by representatives of various business related associations in the Kingdom such as: The Association of Jordanian Writers, The Trade Union of Stationery and Bookshops, The Association of Young Pioneers, Business and Professional Women Club, and a number of other societies.

Second Group took place on Wednesday the 21st and Thursday 22nd of June 2000 and was attended by representatives of various societies and trade unions in the Kingdom such as The Engineers Union, The Association of Jordanian Writers, The Association of Jordanian Accountants, The Jordanian Society for Quality, and a number of individuals of private commercial establishment in Jordan.

The training program that specially designed for this group included:

- ◆ The introduction of the copyright concept and the importance of protecting it from infringements.
- ◆ The scope of legal protection of copyrights that is provided by Jordanian copyright laws and relevant international conventions which are applicable in Jordan.
- ◆ Definition of copyright owners and the exceptions to their exclusive rights.
- ◆ Methods of protection under copyright law.
- ◆ The authorities involved in copyright enforcement in the present Jordanian legislation.

G. Artists training seminars

The training seminar to artists was divided into two groups:

First Group was dedicated to members of Jordan plastic Artists Association and took place on Sunday the 23rd and Monday the 24th of July 2000.

Second Group was dedicated to members of the Jordanian Artists Union and took place on Tuesday the 25th and Wednesday the 26th of July 2000.

The training program that specially designed for this group included:

- ◆ The introduction of the copyright concept and the importance of protecting it from infringements.
- ◆ The scope of legal protection of copyrights that is provided by Jordanian copyright laws and relevant international conventions which are applicable in Jordan.
- ◆ Definition of copyright owners, the right neighboring to copyright and the exceptions to their exclusive rights.
- ◆ Methods of protecting copyright of authors.
- ◆ The authorities involved in this protection in accordance with the present Jordanian legislation, such as the National Library, Custom and Courts.
- ◆ For the first group emphases were placed on the definition of the resale right that was given to them by Copyright law.
- ◆ For the second group emphases were placed on rights of performers in general and in particular the right of public performing.

H. Academics training seminars

The training seminar for academics was divided into two groups:

First Group took place on Monday the 7th and Tuesday the 8th of August 2000 and was attended by a number of individuals working in the academic field in various public and private Jordanian universities.

Second Group took place on Wednesday the 9th and Thursday the 10th of August 2000 and was attended by a number of individuals working in the academic field in various colleges of the Balqa Application University.

The training program that specially designed for this group included:

- ◆ The introduction of the copyright concept and the importance of protecting it from infringements.
- ◆ The scope of legal protection of copyrights that is provided by Jordanian copyright law and relevant international conventions which are applicable in Jordan.
- ◆ Definition of copyright owners, the right neighboring to copyright and the exceptions to their exclusive rights.
- ◆ Methods of protecting copyright of authors.

- ◆ The concept of compulsory licensing with regards to translation and reproduction compulsory licensing.
- ◆ The authorities involved in this protection in accordance with the present Jordanian legislation, such as the National Library, Custom and Courts

I. Businesses training seminars

The training seminar for businesses was divided into two groups:

First Group took place on Wednesday the 16th of August 2000 and was dedicated to members of Amman Chamber of Industries.

Second Group took place on Sunday the 20th and Monday the 21st of August 2000 and was dedicated to members of Amman Chamber of Commerce.

The training program that specially designed for this group included:

- ◆ The introduction of the copyright concept and the importance of protecting it from infringements.
- ◆ The scope of legal protection of copyrights that is provided by Jordanian copyright law and relevant international conventions which are applicable in Jordan.
- ◆ Definition of copyright owners, the right neighboring to copyright and the exceptions to their exclusive rights.
- ◆ Methods of protecting copyright.
- ◆ The authorities involved in this protection in accordance with the present Jordanian legislation.

J. Judges training seminars

A special workshop specially designed for judges took place over 3 days on Tuesday 22nd, Wednesday 23rd and Thursday the 24th of August 2000.

There was a debate throughout this workshop on Copyright law and all other relevant international conventions that are applicable in Jordan, the most important amendments that was placed on the present law as a result of Jordan accede to the WTO, and the practical difficulties deriving from the application of the copyright law, the legal wholes in it and the ideal methods of solving these difficulties and handling these wholes.

K. Law enforcement Agencies training seminars

The training seminar for the law enforcement agencies took place over 6 days and was divided into two groups:

First Group was trained over 3 days on Sunday 27th, Monday the 28th, and Tuesday the 29th of August 2000 and was dedicated to individuals working in court houses such as Notaries, executing officers, clerks and many other officers that are involved in applying laws in general.

Second Group was trained over 3 days on Sunday the 3rd, Monday the 4th, and Tuesday the 5th of September 2000 and was dedicated to members of judicial application sector from all over the Kingdom

The training program that specially designed for this group included:

- ◆ The introduction of the copyright concept and the importance of protecting it from infringements.
- ◆ The scope of legal protection of copyrights that is provided by Jordanian copyright law and relevant international conventions which are applicable in Jordan.
- ◆ Definition of copyright owners, and the exceptions to their exclusive rights.
- ◆ Methods of protecting copyright.
- ◆ Emphases were placed on the duties of the judicial application in fighting of infringements on copyrights and applying the copyright law.
- ◆ Acquiring the necessary skills to differentiate between original and pirated works in particular among computer programs, written works, audio and audio-visual works.
- ◆ The importance of coordination between the various authorities involved in applying copyright law.

L. The National Library staff training seminar

A special training seminar was given to the members of the National Library which took place in the Library itself over a period of 4 days on Sunday the 24th, Monday the 25th, Tuesday the 26th, and Wednesday the 27th of September 2000, and was divided into two sections:

Section One (Theory) the purpose of this section was to give trainees an idea of how to perform their duties in a manner that complies with the legal aspect that governs their duties as part of law application sector. This includes training them on how to acquire skills in inspection and search, deposition, giving testimonies before the concerned authorities, and coordinating efforts with other authorities with similar kind of duties. They were also trained on how to organize matters with regards to best ways of fulfilling their duties in terms of coordination and procedure.

Section Two (Practice) This seminar aimed at practicing the theoretical part where we had fictitious raids in a number of sites such as computer shop, video shop, audio recording shop, and so on and they have been trained on how to differentiate between original and pirated copies of copyright material.

3. ASSISTING THE NATIONAL LIBRARY

As of the start of this program, MIDGLOBE assisted the National Library in effectively fulfilling its role given to it by the copyright law to protect the rights of authors by:

- A. Suggesting the proper mechanism that ensures proper application of copyright law emphasizing on the effectiveness of the role of the Copyright Protection office to defend the rights of authors.
These suggestions for work mechanism include the creation of various sections with special duties for each one of them.
- B. Assisting the National Library in the creation of a special advertisement that increases public awareness of copyright law, the role of the National Library and the authority given to it by the law to protect the rights of authors including its right to search any establishment where copyright material is being copied, printed or produced whenever there are suspicions that an infringement of copyright is taking place in violation of copyright legislation.
These legislation, also, gave the National Library the right to confiscate all copies and material used in the infringement and to file a case in court against the individuals that committed such infringement.
- C. Assisting the National Library in putting together regulation that are necessary to apply the roles of the copyright law with regards to:
 - 1st. Regulations governing compulsory licensing in translation and reproduction (article 11 of the copyright law).
 - 2nd. Regulation governing the right of resale (article 29 of the copyright law).
 - 3rd. Regulations clarifying article (9) of the copyright law regarding the right of author to exploit his work, and article (27) of copyright law regarding the authority given to the Minister to publish or republish works after the death of their authors where the Jordanian negotiations delegation to the negotiations of joining WTO has undertaken to issue regulations to clarify these articles.
 - 4th. Rules and regulation regarding the creation of Copyright Protection office including its sections and the mechanism of its work.
- D. Putting together forms to help The Copyright Protection office in fulfilling its duties, such forms as receiving a tip-of and follow up forms, inspection forms, confiscation of material forms and many other forms that should comply with the general legal requirement of the Jordanian legislation and that should be issued to guarantee the legality of procedure.
- E. Discussing the mechanism of establishing a hotline at the National Library and the proper ways to use such a line by the staff of the Copyright Protection office.
- F. Conducting interviews with specialized individuals in the Ministry of Industry and WTO office to discuss the role of the National Library/ copyright Protection office and all other matters regarding the regulations related to copyright law.

- G. MIDGLOBE, throughout the training seminar, has rendered a number of consultation and legal services whenever this was required by the National Library.

4. TRAINING MATERIAL AND ILLUSTRATIVE BOOKS

MIDGLOBE has prepared a number of written lectures and illustrative books that had been distributed among the trainees. These lectures covered copyright law from all angles, which can act as a valuable reference to trainees who can come back to any time they need to. MIDGLOBE has prepared lectures that contains general kind of information on purpose of defining copyright law in general form, while other, more specialized kind of lectures were prepared for certain kind of trainee related to their involvement in these subjects.

List of lecture:

- ◆ The legal nature to authors rights and the legal scope of the protection of such rights.
- ◆ The kind of works and authors that are protected by the copyrights law.
- ◆ The scope of application of the copyright law in terms of place and time.
- ◆ The rights given to the right owners.
- ◆ Exception to the exclusive rights given to the right owners.
- ◆ Authors capitalization on the right of financial exploitation of their works.
- ◆ Rights neighboring to copyright (the right of performers, producers of phonograms (sound recording) and broadcasting organizations).
- ◆ Legal protection of copyrights.
- ◆ The authorities involved in copyright protection.
- ◆ Individuals involved in infringement acts against copyrights of authors.
- ◆ Deposition of works at the National library.
- ◆ Ways of differentiation between original and pirated works of audio, audio-visual, and computer program publications.
- ◆ Press and copyright.
- ◆ Compulsory licensing in translation and reproduction.
- ◆ The right of resale.
- ◆ Special arrangement to halt the release of goods in violation of authors copyrights.
- ◆ Duties of the law enforcement section
- ◆ Duties of the law enforcement section in points.
- ◆ Musical works.
- ◆ Protecting cinematography, broadcasting and television works under the Jordanian copyright law
- ◆ Midglobe, distributed guideline lectures called “Questions about the Jordanian Copyright Law”, which included a number of answers to FAQ related to authors rights and the Jordanian Copyrights Law.
- ◆ Midglobe, distributed copies of the actual Jordanian Copyright Law together with all amendments to trainees that are directly involved with the law itself.

- ◆ It is worth adding that Midglobe used to distribute these lectures at the start of each session, therefore, trainees were aware of the subject of these lectures beforehand.

5. CONCLUSIONS

To summarize the results obtained throughout this project:

- A. Midglobe helped to increase the awareness of a number of sectors in the society with regards to Copyrights Law, giving them an overall picture of this law and its applications.
- B. Midglobe gave trainees a brief idea of important special international conventions and treaties that Jordan had joined regarding Copyrights, in particular the TRIPS treaty (a WTO treaty) and the implication of this treaty on Jordan.
- C. Midglobe introduced rights-owners to their rights that are protected by the copyright law and the exceptions to these exclusive rights.
- D. Midglobe introduced trainees to the parties that are authorized by Jordanian legislation to protect the rights of authors (Specialized courts, the National Library, Custom).
- E. Midglobe started to notice the results of the awareness created by the projects amongst rights owners, through their demands of copies of the rights given to them by the law to which they were oblivious in the past. The authorities in their turn started to sympathies with their demands where they were not aware of subjects of copyrights and its importance beforehand.

6. RECOMMENDATIONS

Throughout the training seminars and from the contacts we had with people involved in copyright protection issues, we came to conclude the importance of concentrating on the following matters to ensure a serious and effective application to this law and to halt all kinds of infringing actions on copyright.

- A. It is vital to provide the parties involved in the protection of copyrights, and in particular the Protection of Copyrights office with all what is needed of equipment, vehicles and communications instruments to enable them to fulfill their duties in an ideal way. It is, also, preferable that this office has its own offices from which it can operate.
- B. It is imperative that all parties concerned with the protection of copyrights (National Library / copyright protection office, Custom, Police) coordinate their efforts in a pre-prepared, suitable mechanism that includes establishing points of cooperation and communication without which the protection of copyright will be disorganized and incomplete.
- C. Midglobe noticed the keen interest of Copyrights protection office in establishing the proposed hotline, which is very important to the fulfillment of their duties, and despite financial problems that hinders

this aims. We think that the hotline issue should be seriously considered and funds should be made available to create it.

- D. Midglobe thinks that the copyright protection office should be fully computerized to enable it to work in a most modern and organized way, which in turn will result in ease of obtaining and supplying information to concerned parties.
- E. Continue the awareness campaign of copyright issues throughout all media instruments, audio and visual and make funds available for the purpose.
- F. Continue to update the quality of information of the Jordanian judicial system with regards to copyrights issues, and new ways of solving disputes making use of experiences of other countries in these fields and the creation of specialized sections of studies to that purpose.
- G. To widen the scope of future training of parties that are involved in the application of copyright law such as custom, Public Security and the copyright protection office within the National Library.

Attachement: Training Material